

Office of Professional Accountability (OPA) Commendations & Complaints Report October 2008

Commendations:

Commendations Received in Sept: 30

Commendations Received to Date: 250

Anderson, Shanon Avery, Monique Diaz, Avery Kolding, Brendan	Sergeant Diaz, and Officers Avery, Kolding, and Anderson received a letter of appreciation for their time and devotion to making the COPS Office Roundtable a success. All were universally complimentary of the panel, Preparing Tomorrow's Officers: Opportunities, Challenges and Change, where the employees talked about their careers.
Belshay, Richard Martinez, Cindy	Captain Belshay and Administrative Assistant Martinez received a letter of thanks for ensuring that a lost wallet was returned to its owner. Captain Belshay found a wallet on 4th avenue and immediately came to Human Resources where Ms. Martinez looked for ways to contact the owner. Captain Belshay personally returned the wallet, a gesture the owner believed to be beyond the call of duty; she was very impressed.
Brown, Douglas Case, Tammie Jo Clouse, Deanna Dotson, Tori Harner, Marshall Kamalu, Aaron Norton, Derek Schickler, Erick	Several Officers received a letter of commendation for their partnership with an agency that assists law enforcement agencies in getting criminals off the street. The timely and professional response of the Seattle Police Department and the Officers' efforts were instrumental in the apprehension of two individuals. The partnership with the Seattle Police Department has been instrumental in their success as they work to protect their client.
Cook, Samuel Garner, James Hill, Travis Jones, Todd Wong, Susan	A stolen vehicle equipped with a silent alarm was tracked and recovered. Officers were commended for their assistance and expertise.
Duffy, Teresa Hoppers, Jason	Sergeant Duffy and Officer Hoppers received a letter of commendation for their important role in helping maintain a high level of service to a citizen who had accidentally hit the gas instead of the break and hit a retaining wall. The citizen was quite shaken. When Officer Hoppers arrived on the scene, his compassion, care, professionalism and humor were very welcome. The citizen feels if she ever had to call 911 again she would be getting the "best of the best."
Hunt, Matthew	Police Recruit Hunt received a letter of commendation for his generous contribution in making Brandon Braun's "Sheriff for the Day" a most memorable occasion. Police Recruit Hunt's compassion and enthusiasm helped to insure that Brandon had a fantastic day at the Criminal Justice Center on August 28th.

<i>Kaffer, Steve</i>	Officer Kaffer received a commendation for his professional and collaborative manner. Officer Kaffer's knowledge, motivation and dedication were greatly appreciated and helped make Operation Crackdown 2008 successful. By locating and removing violators from the community, Officer Kaffer helped make significant contributions towards achieving the common goal of community safety.
<i>Kinner, Gary</i>	<p>Detective Kinner received a card of appreciation for his presentation at an ELS language center where the students appreciated his information concerning the issue of drugs.</p> <p>Detective Kinner received a letter of commendation for his excellent detective work investigating the fraudulent use of a stolen driver's license.</p> <p>Detective Kinner received a letter of appreciation for a presentation given at the Seattle VA medical Center. Detective Kinner's presentation caused a great exchange of information and lively discussion that still continues in the clinic.</p>
<i>Low, Neil</i>	<p>Captain Low received a letter of thanks for his enthusiastic participation in the "Handcuffs to Hope Conference." Captain Low's discussion on making a difference was well received.</p> <p>Captain Low received a letter of commendation for his participation in the King County Sheriff's Office Request for Proposal (RFP) evaluation for the Captain Promotional Examination Process contract. Captain Low's professionalism, technical expertise, enthusiasm and dedication to the evaluation process helped complete this process in a timely and efficient manner.</p>
<i>Patchen, James</i>	Officer Patchen received a commendation for his assistance regarding a vehicle-parking situation. Officer Patchen handled the situation in a polite and professional way.
<i>Pugel, James</i>	Assistant Chief Pugel was commended for his efforts to prevent a fire from spreading in the Okanogan-Wenatchee National Forest. His prompt action and disregard for his own personal safety prevented the fire from spreading into an unburned area.

OCTOBER 2008 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
Complainant alleged that the named employee removed his wallet without permission and then removed currency from within in order to settle a disputed bar tab.	The preponderance of the evidence demonstrated that the named employee, without legal justification, searched the complainant's wallet, removed money, and conveyed it to the bar server for payment of the complainant's bar tab. Finding—SUSTAINED.
The complaint alleged that the named employee unlawfully accessed department databases and provided information to a friend.	There was no evidence to indicate that the named employee accessed or made any inappropriate queries to the databases. A record would have existed and no such record was found. Finding—ADMINISTRATIVELY UNFOUNDED.
The complainant alleged that the named employee addressed him using inappropriate and profane language.	The employee acknowledged that he had used inappropriate language and that he had been wrong to do so. Finding--SUSTAINED
The complaint stated that the named employee checked a friend's criminal history and then shared the information.	The named employee did access the information in an effort to assist a friend that was a crime victim. The employee readily admitted to the access but stated that he was not aware that such access was a violation. The investigation determined that there was no willful misconduct and that under the circumstances, additional training and familiarization would be appropriate. Finding—SUPERVISORY INTERVENTION
The complainant states that the employee, while working in a uniformed off-duty capacity, was rude and also damaged the door of his car.	The investigation determined that the complainant had been very emotional, upset, uncooperative, and unreasonable in his conduct with the named employee causing the employee reasonable concern for his safety. The employee's control over the car door was determined to be reasonable and necessary. Finding—EXONERATED Further, the evidence supported that the employee acted in a calm, courteous, and professional manner. Finding--UNFOUNDED

VIOLATION OF LAW

Synopsis	Action Taken
It was alleged that the named civilian employee engaged in inappropriate sexual conduct with a minor child while off-duty and outside of Seattle.	The employee agreed to plead guilty to a felony charge of Attempted Assault and was terminated. Finding-SUSTAINED

UNNECESSARY FORCE

Synopsis	Action Taken
The complainant alleged that the named employee unnecessarily used OC spray, as he had been doing nothing threatening to warrant such use.	The investigation determined that the complainant had been uncooperative and assaultive. He received adequate warning of the application of the OC spray and yet continued his non-compliant behavior. The use was determined to be reasonable and necessary. Finding--EXONERATED
The complainant alleged that while being detained for a pedestrian violation, unnecessary force was used and that his backpack was illegally searched.	In car video camera footage revealed that the force alleged simply did not occur. Finding—UNFOUNDED The investigation could not determine if the complainant's backpack had been search, but the audio portion of the video indicated that a search was being discussed. This issue was determined to best be handled by additional training. Finding—SUPERVISORY INTERVENTION

STANDARDS OF CONDUCT: EVIDENCE/PROPERTY

Synopsis	Action Taken
The complainants alleged that when they went to the department's evidence section to retrieve their belongings, funds were missing from their property	A preponderance of the evidence demonstrated that the misconduct did not occur as alleged. There was no corroboration whatever of the complainants' allegation and neither complainant responded to numerous and varied attempts to be contacted. Finding—ADMINISTRATIVELY UNFOUNDED

October Cases Mediated:

No mediations were conducted in October

Definitions of Findings:

“Sustained” means the allegation of misconduct is supported by a preponderance of the evidence.

“Not Sustained” means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

“Unfounded” means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

“Exonerated” means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

“Supervisory Intervention” means while there may have been a violation of policy, it was not a willful violation, and/or the violation did not amount to misconduct. The employee’s chain of command is to provide appropriate training, counseling and/or to review for deficient policies or inadequate training.

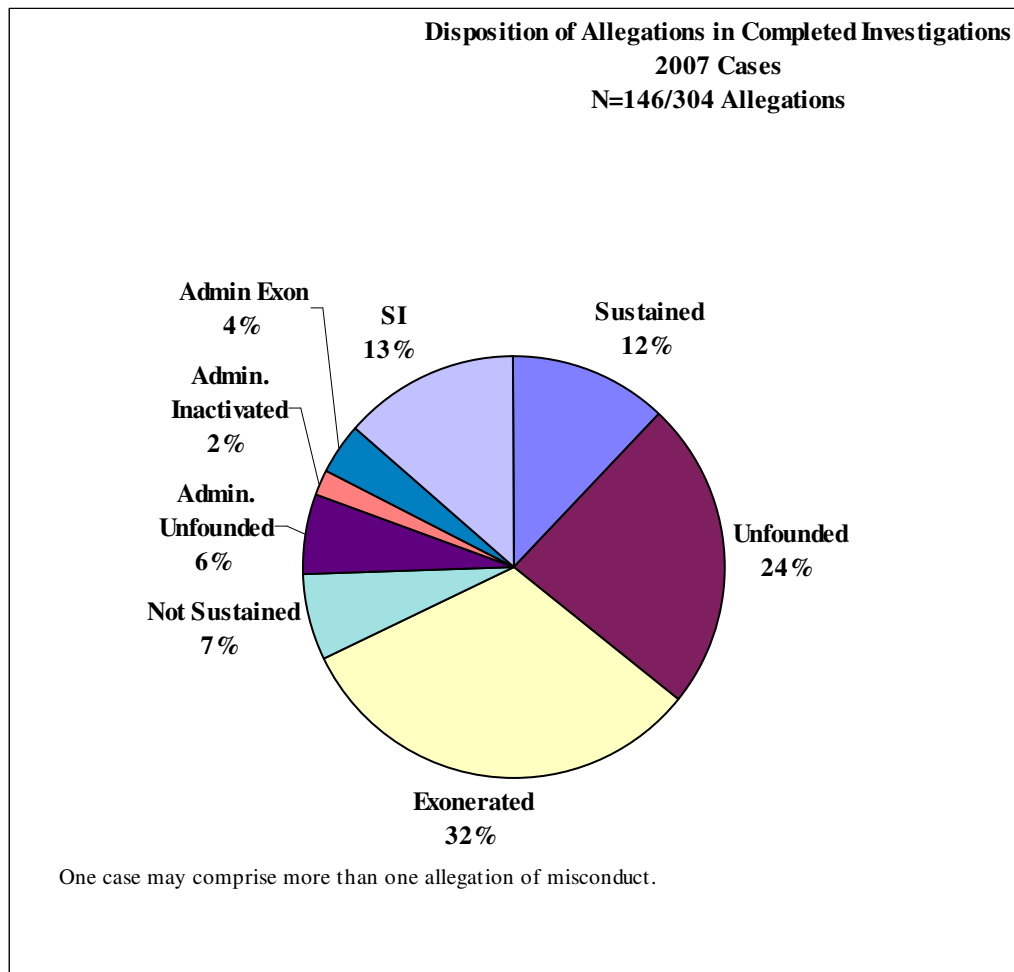
“Administratively Unfounded/Exonerated” is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee’s actions were found to be justified, lawful and proper and according to training.

“Administratively Inactivated” means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

Cases Opened (2007/2008 by Month Comparison)

Date	PIR		SR		LI		IS		TOTAL	
	2007	2008	2007	2008	2007	2008	2007	2008	2007	2008
1/1-2/15	39	37	14	7	0	2	19	15	72	61
2/16-3/15	25	22	6	9	1	1	13	11	45	43
3/16-4/15	20	20	3	5	2	1	14	5	39	31
4/16-5/15	37	21	10	5	1	2	12	14	60	42
5/16-6/15	31	22	7	2	1	0	7	11	46	35
6/16-7/15	41	10	9	2	1	2	13	10	64	24
7/16-8/15	30	25	9	8	1	3	15	23	55	59
8/16-9/15	27	17	14	6	1	2	14	14	56	39
9/16-10/15	16	15	10	7	0	2	13	8	39	32
10/16-11/15	22	14	6	6	1	1	14	5	43	26
11/16-12/15	21		8		3		15		47	
12/16-12/31	6		1		2		3		12	
Totals	316	203	97	57	14	16	152	116	579	392

2007 Cases Closed to Date



2008 Cases Closed to Date

